

NEWS RELEASE

U. S. FISH & WILDLIFE SERVICE - REGION

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**STATEMENT BY THE FISH AND WILDLIFE SERVICE ON THE
DESIGNATION OF THE MARBLED MURRELET AS A THREATENED SPECIES**

The U.S. Fish and Wildlife Service designated the marbled murrelet, a small elusive seabird that lives along the Pacific coast, as a threatened species in the states of Washington, Oregon, and California, on September 28, 1992.

The action by the Interior Department agency follows a petition to list the species in 1988 from the National Audubon Society and direction from the U.S. District Court for the Western District of Washington in response to litigation brought by environmental organizations over the timeliness of the Service's biological findings about the bird.

The following statement was issued by the Service's Washington, D.C., office upon the listing of the murrelet on September 28:

"At the time of proposing to list the marbled murrelet in Washington, Oregon, and California, the U.S. Fish and Wildlife Service considered the murrelets in these states to constitute a distinct population segment comprising a significant portion of the eastern Pacific subspecies of the marbled murrelet. While the Service continues to believe that existing legal protection is not adequate to ensure survival of murrelets in the three-state area, some question remains whether the population listed in this rule qualifies for protection under the Endangered Species Act's definition of 'species.'

"Compliance with a court order required a final decision on listing to be made at this time. Based on the information now available to the Service, the only supportable decision that can be reached within the limit imposed by the court is to list the population as proposed. Nevertheless, the Service intends to re-examine the basis for recognizing this population of murrelets as a 'species' under the Act. Within 90 days, the Service will announce the results of this examination and at that time may propose a regulatory change that would alter the listing of the murrelet as a threatened species."

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